

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for courtesies extended during the Examiner Interview conducted on August 23, 2006.

Disposition of Claims

Claims 1-11 are currently pending in this application. Claims 1 and 11 are independent. Claim 5 has been canceled by this reply. The remaining claims depend, directly or indirectly, from claim 1.

Claim Amendments

Independent claims 1 and 11 have been amended to recite that the duration of validity is a period of time during which the information (or the updated information) is valid. Further, independent claims 1 and 11 have been amended to recite that the duration of validity is affixed to particular information based on a type of the information. Applicant asserts that no new subject matter is added by way of these amendments. Support for these amendments may be found, for example, on pages 6-7 of the Specification.

Rejections under 35 U.S.C. § 103

Claims 1 and 7-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over 6,745,368 ("Boucher") in view of U.S. Patent No. 6,374,404 ("Brotz"). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

The claimed invention affixes a duration of validity to information stored in a cache memory and to updated information that is downloaded from a broadcast source. The duration of validity is a *period of time* during which the information or the updated information remains valid (*i.e.*, can be used to be rendered, displayed, etc.), as recited in the amended independent claims (*see* Specification, page 7). Thus, the duration of validity is not a timestamp that specifies the date and time that a user viewed the information. More specifically, the duration of validity that is affixed to particular information is determined by examining a type of the information that is being affixed with the duration of validity. For example, if the information is simple data or requires short broadcast cycles, a brief duration of validity may be affixed. If the information is program data or software, then a long duration of validity may be affixed (*see* Specification, page 7).

Turning to the rejection of the claims, the Examiner admits that Boucher fails to disclose or suggest “affixing at least one portion of the updated information with a duration of validity” (*see* Office Action mailed July 25, 2006, page 3). Thus, it also follows that Boucher also fails to disclose or suggest affixing a duration of validity based on the type of the information (or updated information) involved.

However, the Examiner relies on Brotz as disclosing the limitation reciting “affixing a duration of validity”. As discussed during the Examiner Interview conducted on August 23, 2006, the cited portion of Brotz only discloses affixing a timestamp, which indicates the time and date that a user last visited the web page including a recorded hypertext document (*see* Brotz, col. 10, ll. 37-40). As agreed to by the Examiner, Brotz fails to disclose or suggest a *duration of time* (*i.e.*, the duration of validity as defined by the amended independent claims), during which the recorded hypertext document remains valid. Further, Brotz also fails to

disclose or suggest affixing a duration of validity based on the type of information that is going to be associated with the duration of validity. In fact, Brotz fails to disclose or suggest anything about how the timestamp may be changed or modified based on what type of recorded hypertext document is involved or the content of the recorded hypertext document.

In view of the above, it is clear that amended independent claims 1 and 11 are patentable over Boucher and Brotz, whether considered separately or in combination. Further, dependent claims 7-10 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 4 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Boucher, Brotz, and further in view of US Patent No. 6,629,138 ("Lambert"). Claim 5 has been canceled by this reply. Thus, this rejection is now moot with respect to claim 5. However, to the extent that this rejection may still apply to the amended independent claims, this rejection is respectfully traversed.

As described above, Boucher and Brotz fail to disclose the limitations of amended independent claim 1. Further, Lambert fails to supply that which Boucher and Brotz lack. The cited portion of Lambert recites that a caching server solves this problem by assigning each piece of content an expiration date (*see* Lambert, col. 32, ll. 3-5). However, Lambert fails to disclose or suggest that before assigning the content an expiration date, the content is examined to determine how far out the expiration date should be. Rather, Lambert only discloses that the expiration date assigned to a particular content can be inferred based on knowledge of the content (*see* Lambert, col. 32, ll. 7-10). Estimating the expiration of content based on knowledge of the content *after* the content has already been assigned an expiration is completely

distinct from assigning an expiration based on the type of content (*i.e.*, where the examination of the content occurs *before* the assigning of the expiration).

In view of the above, it is clear that Boucher, Brotz, and Lambert, whether considered separately or in combination, fail to render amended independent claim 1, obvious. Thus, amended independent claim 1 is patentable over Boucher, Brotz, and Lambert. Dependent claim 4 is patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Boucher, Brotz, and further in view of U.S. Patent No. 4,899,299 ("MacPhail"). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

As described above, Boucher and Brotz fail to disclose the limitations of amended independent claim 1. Further, MacPhail fails to supply that which Boucher and Brotz lack, as evidenced by the fact that the Examiner relies on MacPhail solely for the purpose of disclosing affixing an arbitrary predetermined duration of validity to updated information (*see* Office Action mailed July 25, 2006, page 6).

In view of the above, it is clear that independent claim 1 is patentable over Boucher and MacPhail, whether considered separately or in combination. Dependent claim 6 is patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number

Application No.: 10/038,859

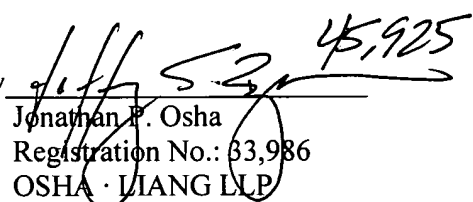
Docket No.: 11345/040001

listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591
(Reference Number 11345/040001).

Dated: August 31, 2006

Respectfully submitted,

By


Jonathan P. Osha

Registration No.: 33,986

OSHA · LIANG LLP

1221 McKinney St., Suite 2800

Houston, Texas 77010

(713) 228-8600

(713) 228-8778 (Fax)

Attorney for Applicant

168880_1